



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

April 4, 2006

The Honorable Bob Odell, Chairman  
Energy and Economic Development Committee  
Room 303, Legislative Office Building  
Concord, NH 03301

**Re: House Bill 1491, establishing a committee to study the publicly owned treatment plant needs of New Hampshire**

Dear Senator Odell:

Thank you for the opportunity to comment on HB 1491. This bill would establish a commission to study publicly owned treatment facilities in New Hampshire.

While not defined in the bill, publicly owned treatment facilities/works (POTWs) are typically considered to be wastewater treatment plants that are owned by local, county, and state governments which discharge to surface waters under a federal National Pollution Discharge Elimination System (NPDES) permit issued by the United States Environmental Protection Agency (EPA). New Hampshire has 95 POTWs.

The Department of Environmental Services (DES) can support the establishment of the commission proposed in HB 1491 in concept. Please note that we are unclear on the expected outcome of the commission's work based on the bill language. Upon first review, we believe that this would most likely result in a compilation of existing information by DES on the state's POTWs for the commission followed by a discussion of this information. The commission may then develop independent recommendations and conclusions concerning New Hampshire's POTWs.

A brief discussion of the information available from the Department of Environmental Services (DES) on POTWs is provided below for your consideration. This type of information would likely be compiled by DES for presentation and consideration by the commission should HB 1491 become law.

- **National needs survey** Every 4 years, DES surveys POTWs on expected needs for treatment plant and sewer system upgrades going out into the future 20 years to project demand for the State Revolving Loan Fund at the national level. This survey is required by EPA. The survey information is provided online by DES to EPA which compiles the information into a report of national wastewater infrastructure needs, known as the "Clean Water Needs Survey." This survey documents the needs and costs of municipal wastewater pollution control facilities across the country for each state. The most recent needs survey was completed in 2005 and the final report should be available in 2006 from EPA.
- **Annual Priority Lists for State Revolving Loan Funds (SRFs) and State Aid Grants (SAGs)**: On an annual basis, DES holds public hearings and requests information from municipal POTWs on expected projects for SRFs (low interest loans) and SAGs (20% or 30% state aid grants). Copies of these priority lists are available for your review.



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- POTW NPDES Operational/discharge reports: DES also compiles (and examines for compliance purposes along with EPA) the operational/discharge reports for all permitted POTWs in the state, and closely tracks compliance with NPDES permit requirements. We also review NPDES permit limits and permit conditions for POTWs.
- Effluent criteria and treatment technology: DES also routinely discusses effluent criteria, toxicity policies, and treatment technologies and trends with EPA, other states' environmental agencies and industry. In New England, this often occurs through discussions in regular meetings of the New England Interstate Water Pollution Control Commission (NEIWPCC) and the New England Water Environment Association (NEWEA). These technical considerations tend to be focused on technical issues and how they are evolving with time. Information on current/projected populations and industrial growth patterns mentioned in the bill is readily available from the Office of Energy and Planning.
- New Hampshire Seacoast Wastewater Management Study: DES with our consultant, Metcalf & Eddy is currently gathering information from all 44 communities and collecting data from all 16 treatment plants. Project oversight is by the Great Bay Estuary Commission, which is chaired by Senator Hassan. A range of wastewater and septage management alternatives, up to eight potentially feasible concepts will be evaluated with the Study Commission, as well as regional and community-based organizations to whittle that preliminary list to four alternatives for further evaluation using water quality, engineering, economic, environmental impact, and public acceptance criteria, as well as 20-year growth projections for the region. Through this study, detailed information for 17 POTWs and the surrounding communities would be available for this study commission to consider.

Finally, based on the work that has occurred on the Seacoast Wastewater Management Study, as well as a legislative study committee formed last year to assess existing state-aid grant and state revolving fund loans for POTWs, DES recognizes a need to make information on POTWs available in a more concise fashion for the legislature and public. This information will position us to better express the current status of these facilities and prepare for the future. DES is committed, whether or not HB 1491 becomes law, to compile and summarize information on New Hampshire's POTWs in a manner similar to that apparently contemplated by HB 1491. Absent the proposed HB 1491 Commission, we envision that this information could be presented to the standing Water Resources Study Committee, currently chaired by Senator Green, as part of their work then made available to the public. To move this effort forward, we have just hired an intern for the DES Wastewater Engineering Bureau for the Summer 2006 to assist both with the Seacoast study and the compilation of statewide information on POTWs.

Thank you again for the opportunity to comment. Please call me at 271-3503, or Harry Stewart at 271-3308, if you have any questions or need additional information.

Sincerely,

  
for Michael P. Nolin  
Commissioner

cc: Representative Owen